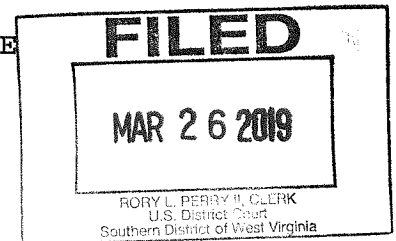


SEALED

UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF WEST VIRGINIA
HUNTINGTON GRAND JURY 2018
MARCH 26, 2019 SESSION



UNITED STATES OF AMERICA

v.

CRIMINAL NO.

3:19-cr-00087

21 U.S.C. § 841(a)(1)

18 U.S.C. § 924(c)(1)(A)

18 U.S.C. § 922(g)(1)

18 U.S.C. § 924(a)(2)

BRANDON DOUGLAS TOMBLIN

I N D I C T M E N T

The Grand Jury Charges:

COUNT ONE

(Possession with Intent to Distribute Methamphetamine)

On or about July 29, 2018, at or near Huntington, Cabell County, West Virginia, and within the Southern District of West Virginia, defendant BRANDON DOUGLAS TOMBLIN knowingly and intentionally possessed with intent to distribute a quantity of a mixture and substance containing a detectable amount of methamphetamine, its salts, isomers, and salts of its isomers, a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1).

COUNT TWO

(Use and Carry of a Firearm During and In Relation to a Drug
Trafficking Crime)

On or about July 29, 2018, at or near Huntington, Cabell County, West Virginia, and within the Southern District of West Virginia, defendant BRANDON DOUGLAS TOMBLIN knowingly used and carried a firearm, that is, a Smith & Wesson, Model M&P 9 Shield, 9mm pistol, during and in relation to a drug trafficking crime for which the defendant may be prosecuted in a court of the United States, that is, possession with intent to distribute a quantity of a mixture and substance containing a detectable amount of methamphetamine, its salts, isomers, and salts of its isomers, a Schedule II controlled substance, in violation of 21 U.S.C. § 841(a)(1).

In violation of Title 18, United States Code, Section 924(c)(1)(A).

COUNT THREE
(Felon in Possession of a Firearm)

1. On or about July 29, 2018, at or near Huntington, Cabell County, West Virginia, and within the Southern District of West Virginia, defendant BRANDON DOUGLAS TOMBLIN knowingly possessed a firearm, that is, a loaded Smith & Wesson, Model M&P 9 Shield, 9mm pistol, in and affecting interstate commerce.

2. At the time defendant BRANDON DOUGLAS TOMBLIN possessed the aforesaid firearm, he had been convicted of a crime punishable by a term of imprisonment exceeding one year as defined in 18 U.S.C. § 921 (a) (20), that is: convicted on or about May 27, 2014, in the Circuit Court of Cabell County, West Virginia of Wanton Endangerment in violation of W. Va. Code § 61-7-12 and Attempting to Operate a Clandestine Drug Lab in violation of W. Va. Code § 60A-4-411.

In violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

COUNT FOUR

(Possession with Intent to Distribute Methamphetamine)

On or about August 4, 2018, at or near Huntington, Cabell County, West Virginia, and within the Southern District of West Virginia, defendant BRANDON DOUGLAS TOMBLIN knowingly and intentionally possessed with intent to distribute a quantity of a mixture and substance containing a detectable amount of methamphetamine, its salts, isomers, and salts of its isomers, a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1).

COUNT FIVE

(Use and Carry of a Firearm During and In Relation to a Drug
Trafficking Crime)

On or about August 4, 2018, at or near Huntington, Cabell County, West Virginia, and within the Southern District of West Virginia, defendant BRANDON DOUGLAS TOMBLIN knowingly used and carried a firearm, that is, a Sig Sauer, Model P239, .357 pistol, during and in relation to a drug trafficking crime for which the defendant may be prosecuted in a court of the United States, that is, possession with intent to distribute a quantity of a mixture and substance containing a detectable amount of methamphetamine, its salts, isomers, and salts of its isomers, a Schedule II controlled substance, in violation of 21 U.S.C. § 841(a)(1).

In violation of Title 18, United States Code, Section 924(c)(1)(A).

COUNT SIX
(Felon in Possession of a Firearm)

1. On or about August 4, 2018, at or near Huntington, Cabell County, West Virginia, and within the Southern District of West Virginia, defendant BRANDON DOUGLAS TOMBLIN knowingly possessed a firearm, that is, a Sig Sauer, Model P239, .357 caliber pistol, in and affecting interstate commerce.

2. At the time defendant BRANDON DOUGLAS TOMBLIN possessed the aforesaid firearm, he had been convicted of a crime punishable by a term of imprisonment exceeding one year as defined in 18 U.S.C. § 921(a)(20), that is convicted on or about May 27, 2014, in the Circuit Court of Cabell County, West Virginia of Wanton Endangerment in violation of W. Va. Code § 61-7-12 and Attempting to Operate a Clandestine Drug Lab in violation of W. Va. Code § 60A-4-411.

In violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).


FORFEITURE

In accordance with 28 U.S.C. § 2461(c), 18 U.S.C. § 924(d)(1), and Rule 32.2(a) of the Federal Rules of Criminal Procedure, and premised upon the conviction of defendant BRANDON DOUGLAS TOMBLIN of a knowing violation of 18 U.S.C. § 924(c)(1)(A) as set forth in Count Five and 18 U.S.C. §§ 922(g)(1) and 924(a)(2) as set forth in Count Six in this Indictment, defendant BRANDON DOUGLAS TOMBLIN shall forfeit to the United States any firearm or ammunition involved in or used in such firearms offense(s) including, but not limited to the following firearms seized by the Huntington Police Department on or about August 4, 2018:

a. a Sig Sauer, Model P239, .357 caliber pistol, and ammunition.

MICHAEL B. STUART
United States Attorney

By:



RYAN A. KEEFE
Assistant United States Attorney